

REMARKS

This paper is filed in response to the Office Action mailed October 27th 2009. Claims 1, 3, 4, 9 – 15, 18 - 20 were pending in the application. In response to the official action, claims 1, 8, 12 and 18 have been amended. Claims 5, 8, 16 and 17 have been re-introduced. Therefore claims 1, 3 – 5 and 8 – 20 are submitted herewith for reconsideration:

Basis for amendment

Claims 1, 12 and 18 have been amended to remove the previous limitation based on claims 5 and 8 that was introduced by amendment on 16th July 2009. These claims have now been amended instead to the more general wording that the adhesive comprises groups which compatibilize the polymer with the plastics material. Basis for this amendment is to be found in paragraph [0013] of the specification which indicates that the adhesive should compatibilize with the plastics material and in paragraph [0012] which indicates that the invention is not limited to the case of styrene based materials.

Claims 5, 8, 16 and 17 correspond to the claims as originally presented.

Rejection of claims 1, 3, 4, 9 – 15, 18 - 20

The Examiner is kindly thanked for the time taken for meeting with Applicant's representative on 11th January 2010 and for the helpful and constructive comments received.

During the interview, the earlier invention date of the present application was discussed on the basis of a technical drawing of the spacing strip dating from 6th November 2002. This drawing is attached hereto in Annex. A declaration under 37 CFR 1.131 is presently being prepared giving full account of the circumstances relating to the conception of the invention. The declaration with accompanying documentation will be filed shortly.

Claims 1, 3, 4, 9 – 15, 18 - 20, were rejected under 35 USC 102(e) and 103 as being either anticipated or obvious in the light of Wright (US6823634).

In response to this rejection, Applicant wishes to submit the above described declaration under 37 CFR 1.131 in order to establish the invention date of the presently claimed subject matter as being previous to the effective date of Wright. In the present case, the effective date of Wright is 7th November 2002, while the date of the annexed drawing is 6th November 2002.

Based on the above, the Examiner is respectfully requested to withdraw the rejection and allow claims 1, 3, 4, 9 – 15, 18 - 20.

During the interview, a video of testing procedures carried out upon a wall constructed according to the present invention was viewed and discussed (http://www.quicktech.se/monteringsprofil_film.php#). A copy of this video will be submitted on optical disc together with the above-mentioned declaration.

Extension of Time

Any extension of time that may be deemed necessary to further the prosecution of this application is hereby requested.

Authorization to Charge Fees

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 08-3038, referencing the docket number shown above.

Authorization to Communicate via email

Pursuant to MPEP 502.03, authorization is hereby given to the USPTO to communicate with Applicant's representative concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file. Applicant's representative, Coraline Haitjema, can be reached at email address haitjemac@howrey.com .

Should issue of a final rejection be considered, the Examiner is respectfully requested to contact the undersigned by telephone at the number given below or by email to haitjemac@howrey.com in order to schedule a telephone interview.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Coraline Haitjema', with a long horizontal flourish extending to the right.

Coraline Haitjema

Reg. No. 63,192

Date: 1st March 2010

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